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Minutes of the Commission Meeting Held on November 3, 2005 In the Stone Building 33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

Commissioners: (P = Present; A = Appointed; E = Elected)

P James Athearn (E – Edgartown)	P Ned Orleans (A – Tisbury)
P John Best (E – Tisbury)	P Megan Ottens-Sargent (E – Aquinnah)
P John Breckenridge (A – Oak Bluffs)	P Deborah Pigeon (E – Oak Bluffs)
P Christina Brown (E – Edgartown)	P Jim Powell (A – West Tisbury)
P Carlene Condon (A – Edgartown)	P Doug Sederholm (E – Chilmark)
- Martin Crane (A – Governor Appointee)	P Linda Sibley (E – West Tisbury)
P Mimi Davisson (E – Oak Bluffs)	P Paul Strauss (County Comm. Rep.)
P Chris Murphy (A – Chilmark)	P Andrew Woodruff (E – West Tisbury)
P Katherine Newman (A – Aquinnah)	

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Coordinator), Bill Wilcox (Water Planner), Srinivas Sattoor (Transportation Planner)

1. WORLD REVIVAL CHURCH: DRI 587 – CONCURRENCE REVIEW

Commissioners Present: J. Athearn, J. Best, J. Breckenridge, C. Brown, C. Condon, M. Davisson, C. Murphy, K. Newman, N. Orleans, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, P. Strauss, A. Woodruff

For the applicant: Tom Conroy (attorney), Darran Reubens (architect, Terrain Associates), Andrew Grant (traffic analyst, Sourati Engineering), George Sourati (septic engineer, Sourati Engineering), Ronie Rezende (pastor/applicant)

Christina Brown opened the Public Hearing on the application of World Revival Church to construct a new church on Edgartown Vineyard Haven Road; the application proposes seating for 200 people, a community room, a 6500 square foot footprint, and 84 parking spaces.

1.1 Applicant's Presentation

Tom Conroy, representing the World Revival Church, explained that he has represented the Church for over ten years and he is familiar with the Church's faith, customs, needs, and desires. He introduced the proposal.

- The Church benefits the community, as DRI criteria require; it doesn't interfere with the objectives of the general plans of Dukes County.
- It is consistent with municipal ordinances and by-laws.

- The building allows a substantial number of community members adequate opportunity to express its religious beliefs.
- There are no detriments to the proposal and it is appropriate because of the lack of alternatives.
- The customs and celebrations of the congregation dictate the size of the building. The size allows the Church to conduct its religious and community services.
- The Church is a 501C charitable and religious organization.
- The proposal has been redesigned to seat 200.
- The steeple was 50 plus feet; the building now meets the 25-foot height restrictions.
- Drawings have been revised to accommodate 84 vehicles.
- The primary service days are Saturday, Sunday, and Wednesday from 7:00 to 9:30 p.m.
- Services are conducted in the sanctuary with seating for 200 people; during services, gatherings take place in other parts of the building; groups move in and out of community room and sanctuary. There's also a social aspect for praying and eating together.
- Two offices will be occupied by 2-3 individuals from 10 a.m. to 4 p.m.
- The Church is not solely a Brazilian church; members include business owners, fathers and mothers, and other Islanders. Services are now conducted in the Masonic Hall that is totally inadequate for the congregation's needs.
- He believes that the people of Martha's Vineyard have found that the Church has been a good neighbor and benefit to the community.

Darran Reubens of Terrain Associates showed the plan that was originally approved by the Oak Bluffs building inspector and a building permit was issued. After two years they were required to renew the building permit, at which time they were referred to the Commission by the new building inspector.

- He developed two site plans, one with an entry at the center of the lot, and the other with the entry on the side.
- He presented an animation showing the interior and exterior plans and elevations.
- The landscape plan is designed mostly with native plants and is tuned to the way people enter and exit the building, and the way the exterior is used for social gatherings. The landscape and trees around the building are designed to reduce the mass and make the site greener.
- The parking lot is gravel with 84 spaces; the entry will be paved. The east side has a green buffer area with a fence and evergreen trees. Landscaping will include vines, shrubs, low and high trees and a cedar fence with lattice work.
- The plan includes a lobby, nursery, display area, community room, commercial kitchen and restroom. The kitchen, used for community breakfasts and meals for functions such as marriages, is a full-fledged food service commercial kitchen meeting Board of Health codes.

Linda Sibley asked about the current entrance is to the lot. **Darran Reubens** said they were using that road to do clearing but stopped work when referred to the Commission.

George Sourati, the septic system engineer, described the septic plan.

- It was designed for a 200-seat church, community room, and office space.

- It includes a kitchen grease trap, septic tank, and a Bio-clere unit to denitrify some of the effluent.
- The plan meets Title 5 and Board of Health requirements.
- The site is in the Sengekotacket Pond watershed so the plan takes into consideration nitrogen numbers for the watershed.
- Assuming full use 3 days a week, the calculation for nitrate, with denitrification, is 6 kgs per acre per year. If the Church is used 5 days a week, nitrate is 10 kgs per acre per year. Under 5.1 kgs per acre per year qualifies for pristine water; under 15.3 kgs per acre per year is average water quality so the system falls between pristine and good water, depending on usage.

Jim Athearn asked about longevity of the leaching system. **George Sourati** said if it is pumped every 3 to 5 years, it should last a long time. The grease trap has to be pumped at least once every six months.

John Breckenridge asked about wastewater for the commercial kitchen. **George Sourati** is estimating 500 gallons per day; he said the projection of 3 gallons per seat for 600 gallons per day seems high. He and Bill Wilcox used the 3 gallons per seat and 500 gallons per day for the community room.

Andrew Grant, Sourati Engineering, summarized the traffic impact study.

- He was able to measure actual use rather than estimate; the challenge was to estimate future growth.
- Present attendance is approximately 100 with 50 vehicles
- The anticipated attendance is 200.
- Services are from 7:00 to 10:00 p.m. This is a good time to add traffic, with traffic at 60% to 70% of peak hour.
- All intersections can function acceptably well in the evenings.
- Traffic mitigation efforts are carpooling and a ride-matching program.
- The Church will have to live within their parking constraints; they have provisions for overflow parking at the neighboring funeral home and Masonic Hall.

1.2 Staff Report

Paul Foley gave the staff report.

Proposal:

- The applicant is Ronie Rezende.
- The site is on the Edgartown – Vineyard Haven Road in Oak Bluffs and consists of 1.5 acres. It is a wooded, rural, residential area, and abuts a funeral home and open space property.
- The Church has been meeting in the Masonic Hall.
- They had a building permit for the site, it expired, and, when they applied for a renewal, they were referred to the Commission by the Building Inspector under section 3.601.
- The proposal is for a 6500 square foot building with 200 seats and 84 parking spaces.
- The application was discussed at three LUPC meetings.

- Some of the key issues are: why the area was completely cleared of trees; the size of the building and percent of lot coverage; is it in keeping with the Island Roads DCPC; and what happens if the number of attendees is greater than projected.
- The building would be on town water.

Traffic and Transportation:

- Access is from Edgartown – Vineyard Haven Road. Services are during off-peak hours; anticipated traffic generation is 300 trips during off-peak, 120 during peak.
- Sight distances are adequate.
- No impact study was done for special events like marriages or festivals. The Masons and neighboring funeral home have written to say they are willing to share parking.

Scenic Values:

- The site is within the Island Roads DCPC and is on one of most heavily trafficked roads on the Island.
- Landscape proposes an understory as well as a 50-foot buffer.
- The building design is a pre-engineered steel building, wood shingled, 6500 square foot; it has a canopy in front for car drop-offs. A steeple has been taken off the plan.
- World Revival Church site is 1.5 acres, Jehovah's Witnesses is 2.2 acres, Assembly of God is 5 acres; both of the other church buildings have a smaller footprint than World Revival, but Assembly of God has a second floor.

Correspondence:

- No official correspondence was received.
- He received one phone call from someone concerned about noise at night and people parking on the bike path.

Bill Wilcox explained wastewater calculations:

- The Oak Bluffs Catholic Church water meter shows water use of 317-381 gallons per day on average. The capacity of the Church is 300 seats.
- Title 5 design flow calculates 600 gallons per day for the size and seat capacity; they started with the figure and cut it in half, adding 500 gallons per day for the kitchen and 9 gallons per day for office.
- The Church and kitchen will be used 3 days a week and the office 5 days per week.
- The calculation is 348 gallons per day average for a year, which fits in with numbers from the Catholic Church, with 9.1 kilos nitrogen flow per year.
- Stormwater and driveway runoff carry some nitrogen, adding 1.9 kgs per year; the total is 11 kgs per year with a total of 7.3 kilos per year per acre.
- Nitrogen calculation for landscaping wasn't included because the intention is for low maintenance plantings.

1.3 Commissioners' Questions and Discussion

John Breckenridge asked for clarification on the use of the community room and wastewater flow.

- **Bill Wilcox** used metered water flow from Catholic Church and adjacent building; the kitchen might not directly compare; he believed that the size of the grease trap is based on flow.

- **Christina Brown** said Commissioners could be assured that the Board of Health takes an interest in kitchens and will be reviewing the septic plan in relation to kitchen use.
- **George Sourati** said the grease trap is designed for use with the standard 1000-gallon tank and is good for a 66-seat restaurant.

Ned Orleans said some aspects of the design are based on assumptions about church use; he asked whether the assumptions are valid and how can the Commission know that.

Christina Brown asked for wastewater numbers. **Bill Wilcox** said nitrogen contribution is 9 kilograms for 3 days per week; the number would increase about 1/3 per day of increased use.

Linda Sibley asked if there were a commitment to only 3 activities per week; she asked how solid the usage of three days a week is.

Mimi Davisson asked if it were possible to have the numbers in writing; she asked if the Commission could get a wastewater estimate for use 7 days a week, 8 hours per day.

James Athearn said that Church service attendees may not use the bathroom but services for 3-4 hours with a meal might generate more bathroom use.

Paul Foley said that the Church is currently meeting at the Masonic Hall so the number of attendees and traffic numbers are based on current use. Traffic numbers would not actually be for new trips.

Srinivas Sattoor reported that the summer study of the blinking light intersection showed 5 to 8 minute delays coming from Vineyard Haven. He noted that services are usually from 7:00 p.m. to 9:00 p.m., which does not coincide with the 4:00 p.m. to 5:00 p.m. peak hour traffic at the intersection. After 5:30, traffic settles down. If the Church were to change its hours, it would add to peak hour. Counts between 7:00 p.m. and 9:00 p.m. show 60% to 70% of peak hour traffic.

John Breckenridge asked how traffic numbers were arrived at.

- **Andrew Grant** said he used actual turning movements of vehicles and number of people in attendance. On August 7th a traffic count was taken from 6:00 p.m. to 11:00 p.m., showing 220 people in attendance, with a total of 85 cars and 190 trips. Andrew Grant's numbers are different. He said the averages of his counts were very close each time.
- **Darran Reubens** said he did manual counts; he said he didn't count the number of people in the Church, just the number of cars and feels Andrew Grant's numbers are accurate.

Linda Sibley asked how cars will stay within lines, given that the parking lot is gravel. .

Darran Reubens said lines would be marked by cobblestones or brick.

Mark London asked why the proposed number of parking spaces increased from 70 to 84. Terrain Associates did a comparative study with Jehovah's Witness number of seats vs. parking; 84 is the result of the comparison.

Paul Strauss referred to the comparison chart of 3 different sites. This building footprint is 6500 sq. feet on a 66,000 sq. foot lot, covering about 10% of the site. The building appears in the plans to be larger than 10% of the site. He said the Jehovah's Witness footprint is 2/3 the size of

this proposal; Assembly of God is about ½. He asked why World Revival feels it needs a church of this size, both in square footage and in relation to the site.

1.4 Public Comment

Charles Fraser, an abutter, asked what the concern about nitrogen waste is about. **Christina Brown** explained that the concern is related to water quality in Sengekontacket Pond.

Michael Hoyt is a resident Buddy's Drive, Farm Path Development, and manager of the abutting funeral home.

- He said there's never been a written agreement related to overflow parking; there is a verbal agreement that if the Church needs extra parking and they are not serving families, the Church may use the funeral home lot.
- He said a concern as a resident is noise from the Masonic Hall parking lot from children playing in the lot until 10:30 or 11:00 at night, as well as from horns going off.

Buddy Debettencourt is part owner of the common land behind the property.

- He asked about the figure of 331 gallons water flow at the Catholic Church. He said there is very little water used at the Church.
- He asked if there would be a cellar in the building. **Darran Reubens** said there is no basement; it will be on a cement slab.
- He asked about parking in the bike path. **Darran Reubens** said the proposal is to have adequate parking and plans for overflow parking. The police have probably looked the other way because of the circumstances.

Mike Source, Church member, said a few words in favor of the proposal. He is glad the Church is on the Island and it is an honor and joy to be part of it. He asked the Commission to allow them to have the new Church and grow and be part of the community.

Adam Wilson, part of Buddy's Path, said he is looking forward to having the Church part of the community. He said locating the entrance as far to the left of the 1.5 acres would be much more preferable. He is concerned with the density of parking and building for 1.5 acres. He hopes the landscaping ties into the community and landscaping in front conforms to regulations.

Joe Gervais, insurance agent in Vineyard Haven, said he has members of the Church as customers and he spoke in favor of the proposal.

Charles Fraser said he would be right next door to the Church and certainly wouldn't have any objections to the Church being there.

Amy Barrows, Church member for 15 years, said the Church has brought her joy and she met her husband through the Church. She said the Church supports a big sense of community, which is an element of the proposed size. She said the community center and kitchen area are an important part of services.

Marcus, member since 1993, said the Church changed his life. The minister, community, and good people bring many people from the wrong way to live to the right way and help people find solutions to problems.

John Barboza, part of the ministry of the Church, will manage the construction. He is a citizen, and has been on the Island since 1994, with his wife and children. He owns a painting company that works with Rosbeck construction and he works for the Church voluntarily. He spoke in support of the Church, which helps people find peace, salvation and a better life. It serves the community.

Ann McManus, Forest Farms, Buddy's Lane, said it is a big building for a residential area. Services are planned for 3 days a week at this point; there is a commercial kitchen; with services from 7:00 p.m. to 10:00 p.m., people won't be leaving until 11:00 or 12:00. She said that's a lot of noise for a residential area. She asked about the plan for the building down the road.

Charles Fraser said he was trying to understand concerns about noise, cars coming and going and children in the parking lot. He said he hoped that the Commission would want people like this here. The biggest change on the Island is the quality and niceness of people. Having Church people in the community would outweigh the inconveniences. Island residents now only have choice in what kind of people that come, not numbers. He certainly would work with the Church to help them with parking.

1.5 Commissioners' Questions and Discussion (cont.)

Chris Murphy asked what happened to the steeple that had been in the plan.

Mimi Davisson asked, in the interest of keeping traffic to a minimum, has the applicant considered talking to the VTA about locating a bus stop at the site.

Jim Powell asked whether the windows on the second story are designed to open for ventilation. He asked the total height of the originally designed steeple and whether the steeple is an expression of the Church's regular religious worship.

Jim Athearn said he would like to know about the steeple. He suggested that it might be wise to put in a basement, which could cut the building footprint in half. Although the façade facing the highway is intended to be largely concealed with trees, he wondered if the façade could be designed to look friendlier.

Doug Sederholm asked why not include a cellar and cut the footprint dramatically; virtually all of the community activities could take place in the basement.

Linda Sibley raised three issues:

- The proposal needs an exterior lighting plan; she suggested that they use the Assembly of God or Kingdom Hall lighting plan with lots of little low lights around the parking lot.
- She asked the reasoning for one floor instead of a cellar and suggested that a 2-story structure would lower massing and could have more parking and landscaping.
- She suggested that the landscaping tree plan create a canopy to shade the parking area.

Paul Strauss suggested the applicant look seriously at reducing the footprint, which would allow for better screening from nearby properties. He said nitrogen is a concern.

John Breckenridge suggested placing the entrance to the site at the far left. There is currently a lot between the Church lot and the funeral home. **Charles Fraser**, owner of the lot, said there is no plan for usage of that lot.

John Breckenridge asked whether the applicant has considered not building an actual kitchen but building more of a holding facility with food prepared off site.

Carlene Condon commented on the glaring expanse of parking. She asked whether the parking area could start with 50 spaces and add the 34 if necessary. She suggested that a basement might be a half level down, if there were a desire for natural light.

Jim Athearn said he would like to see the building designed efficiently for its use and large enough for what it intends to do.

Andrew Woodruff said he is concerned with scale and mass but expects that it will be a big building. He commented that the two side wings that flare out make it look bigger.

Mimi Davisson expressed concern with the curb cuts that have to go across the bicycle path. She asked whether the plan could include a shared driveway with the neighbor.

Mark London raised a number of questions:

- Are the trees shown on the plan the actual trees on site or are they a representation of the idea of trees?
- To try to maintain the rural character of the road, he asked about locating the entrance off-center and at an angle toward vegetation to reduce the visual impact along the road.
- He asked for further clarification on the landscape plan on the side of the property with open space, parking, and evergreen plan.

The Commission took a short recess.

Christina Brown continued the public hearing until December 1st; LUPC will meet on November 14th at 5:30 p.m.

Robert DeCross, representing the company that makes the structure, said that 6500 square feet with a 10% footprint is very humble for a church. A basement is a possible alternative, but basements historically are for storage, they are dark and damp, add to a feeling of separation, and present a challenge for wheelchair-bound members; community is a huge part of the design. He strongly recommends one level to maintain a sense of community.

1.6 Applicant's Response

Darran Reubens responded to Commissioners' comments and questions:

- The steeple design was 50 feet high; noted that some Commissioners had concerns about the height.
- The lighting plan is very much similar to the other Island churches and focuses on solar lighting to save electricity.
- Windows could be awning style with remote control for ventilation.
- The elevation is inspired by the Tabernacle's in Oak Bluffs.
- With the planting and landscaping, the Church will be out of sight.
- The road is sensitive and it would be better to have the entrance toward the funeral home side. The swale in the land could be crossed with a stone bridge.
- There was concern about parking on east and west sides. The way the land is contoured, they had to cut in 2½ feet; both sides have 6 foot fencing on top of a 2-foot rise. Fraser's

land slopes down so neighbors would have to look up 15 feet to see the Church from the neighbor's property.

- The landscape across the site will be what is seen when the site is entered.
- To deal with the visual impact from the road, trees will be planted in front of the building. They can work with the landscape designer to plant trees right after the buffer ends.
- The wings on the side of the building are 9 ½ feet high; they were designed to make the building more mellow to the site and were brought out to bring the mass lower.
- The building is shingled and gray.

Bob Conroy said the steeple is a symbol of religious expression; his personal opinion is that in New England steeples are symbols and encouraged the Commission to support the steeple.

Mark London said he didn't recollect any objection to the steeple as a religious object. He recalled that there had been concern about the design relationship between the vertical tower and the horizontal expression of the sanctuary.

Bob Conroy responded to a number of questions:

- The building wings were to minimize the visual impact of the length of the building and to shield the length of the building.
- The Church has expressed willingness to supply in some way VTA passes, possibly by subsidizing purchase of passes by creating a fund to subsidize in part yearly passes for people who don't have any other means of transportation.
- Regarding the frequency of use, the Church will not be subleasing out the facility to other organizations.

Ronie Rezende said they would never sublet the Church

Christina Brown closed this session of the public hearing.

John Best and Ned Orleans left the meeting.

Commissioners took a brief recess.

2. 10 STATE ROAD – CONCURRENCE REVIEW

Commissioners Present: J. Athearn, J. Breckenridge, C. Brown, C. Condon, M. Davisson, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, P. Strauss, A. Woodruff

Christina Brown outlined the issues:

- In the rear of the building cleared some land going back to the park, an agent of the owner was cutting down a number of trees.
- The Wampanoags have strong indications that there are artifacts at the site.
- The stumping of the trees created large holes and created the potential for disturbing artifacts.
- LUPC recommends that the Commission not concur with the referral of the present activity, but that the activity be very carefully defined as to what the Commission is not concurring to. Any further activity that would disturb the ground would require a DRI referral.
- Joe Grillo said that he would restore the site. He would not cut out any more trees and would handle the stumps so as to not disturb the ground.

- This activity is not a DRI; any new work proposed that would alter the land would make it a DRI.

Doug Sederholm asked why trees were stumped; the intention was to make a parking lot. Veterans' Park is in the coastal district DCPC because it's fill and it sounds like the owner should have been referred to the Commission on that basis. The Commission is in place to protect places like a significant archaeological site; that's what we're here to protect. The owner shouldn't have touched it and the owner should have known.

Chris Murphy said Joe Grillo has stated that he had owned the property for 20 years and he didn't know there was an archaeological site; other people knew but he didn't.

Megan Ottens-Sargent asked whether Mr. Grillo had agreed to allow someone from the tribe to monitor the property; he has.

Doug Sederholm said it sounds like it is a DRI. But he's not sure it makes sense to go through a public hearing if it's already been done.

Linda Sibley said that counsel has previously advised that the Commission can be very specific about why it doesn't concur; language can be filed with the deed so if the property were ever sold, the restriction would be very clear.

Mark London said the Commission had always thought that if it doesn't concur, there was no follow-up. However, after consultation with counsel, staff found that the details of a non-concurrence could be filed with the deed in the Registry. The non-concurrence would state that the owner can remove the existing tree trunks and in removing the tree stumps he will call the Wampanoag Tribe in Aquinnah and the archaeologist will be on site.

Jim Powell said he knows of two construction sites that were temporarily shut down by state archeologists.

Christina Brown cited the three provisions upon which LUPC recommended the Commission find the referral not a DRI:

- The landowner will only remove the tree stumps that have already been cut at the rear of the property, fill in the holes, cap the cleared area with clean fill three feet thick, and re-vegetate the area.
- The landowner recognizes that the property is part of a larger, significant archaeological site, and will do everything within his power to protect the archeological resources on the property. To that end, he will give both the Wampanoag Tribe of Aquinnah and the Martha's Vineyard Commission written notice at least 10 calendar days in advance when any work is done on the site that might affect the archeological resources on the site (including removal of the tree stumps) and will carry out the work under the archeological supervision of a representative of the Tribe (provided the Tribe sends a representative). The Applicant will ensure that no unauthorized digging of the property will take place.
- The landowner has no present plans to further alter the site, and agrees to submit any possible future plans to the Martha's Vineyard Commission including the possibility of creating a parking lot, extending the existing building, building a new building, or any other work that requires excavation or digging.

John Breckenridge said the tribe wrote the initial letter. They wanted to see at the owner's expense an intensive archaeological study. He wondered whether filling in the stump holes could come under Conservation Commission purview. If so, the MVC wouldn't want to specify something that might be contrary to what the Conservation Commission might require. **Paul Foley** reported that the Conservation Commission is waiting for the Commission decision.

Several Commissioners suggested adding "Or as otherwise specified by conservation commission." to the end of the stipulation.

Andrew Woodruff said the Commission might not want to be encouraging the owner to be adding three feet of fill for archeological reasons. **Linda Sibley** replied that a property owner is allowed to cover archeological sites with fill.

Chris Murphy suggested changing wording to reference removal of stumps that have already been dug up. Stumps in the ground can be flush cut. Specific language: "remove stumps that have already been removed from the ground and holes should be filled with 3 ft. of fill. Remaining stumps to be flush cut."

Paul Strauss pointed out that the three bullets refer to the current owner; he suggested rewording the non-concurrence to refer to any owner.

Megan Ottens-Sargent moved and it was duly seconded to not concur with the referral using the following language: the landowner will only remove the tree stumps that have already been removed from the ground at the rear of the property, fill in the holes, cap the cleared area with clean fill three feet thick and re-vegetate the area, or as otherwise required by the Tisbury Conservation Commission.

Commissioners discussed language related to the non-concurrence. **Doug Sederholm** proposed that more than 48 hours notice, including to the MVC, was appropriate; at least 7 days notice would be better.

Mimi Davisson suggested if language should be added in relation to period of notice, that business days be used.

Doug Sederholm moved to amend the motion of non-concurrence with regard to the second bullet point changing "48 hours in advance" to read "the owner will provide written notice to the Tribe and the Commission at least 10 calendar days in advance and the owner will not perform any work without a representative of the Tribe present.

Mark London said that he did not believe that the Commission could add any restrictions or conditions to what the owner is proposing or offering to do in its motion of non-concurrence. The language is such that the requirements related to the non-concurrence are recorded with the deed; if the owner does anything different, he will need to come before the Commission.

Linda Sibley said she disagrees with Mark London but agrees that the Commission can't invent whole new changes.

Doug Sederholm clarified his understanding; the work shall be conducted under the requirements of the non-concurrence; the motion to amend is to clarify the landowner's offers.

A voice vote was taken on the amendment. The motion passed unanimously.

Linda Sibley reminded the Commissioners that staff is to present the amended rewording of the final conditions, after confirming it with the landowner, to the Commissioners for approval at its next meeting.

A roll call vote was taken on the motion to non-concur. In favor: J. Athearn, J. Breckenridge, C. Brown, C. Condon, M. Davisson, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, P. Strauss, A. Woodruff. Opposed: None. Abstentions: None. The motion passed.

Chris Murphy said this site was almost completely trashed; years ago there was a major archaeological site. He said that the Commission is looking at three major projects in this archaeological area and people should be informed. **Megan Ottens-Sargent** said one way is to have updated surveys and then the site would be a DRI checklist item. This would go on GIS.

Kathy Newman said the GIS map would be good, but the Tribe may want the site to be kept a bit secret so that it doesn't become a treasure site.

It was suggested that a registered letter could be sent to owners in the area notifying them that they are in an archaeological area.

Mimi Davisson suggested a detailed series of photographs be taken as a record of what it looked like when it was voted on. She suggested that photos be done for every project that comes before the Commission.

3. MINUTES

Linda Sibley postponed the adoption of minutes.

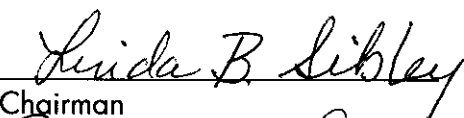
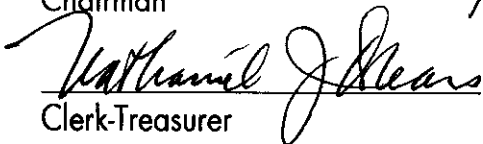
4. CORRESPONDENCE

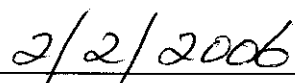
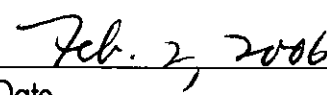
Bill Veno explained that the Commission has been asked by Save Our Sound to sign a letter addressed to Gale Norton, Secretary of the Interior, regarding offshore wind energy. The Department of Interior now has authority over the project. **Linda Sibley** asked Commissioners to review the letter for consideration at a future date.

5. OTHER

Linda Sibley reminded Commissioners of the up-coming Citizen Planning Training Collaborative training sessions on Site Plan Review and Planning with Community Support.

The meeting adjourned at 10:40 p.m.


Chairman

Clerk-Treasurer


Date

Date